



UNITED STATES PATENT AND TRADEMARK OFFICE

CP

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,985	03/08/2001	Mikael Linden	460-010145-US(PAR)	5859

7590

10/11/2006

Clarence A. Green
Perman & Green, LLP
425 Post Road
Fairfield, CT 06430

EXAMINER

KLIMACH, PAULA W

ART UNIT	PAPER NUMBER
----------	--------------

2135

DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/801,985

Applicant(s)

LINDEN ET AL.

Examiner

Paula W. Klimach

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/20/06.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-19,21 and 27-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-19,21 and 27-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This office action is in response to amendment filed on 07/20/06. The amendment filed on 07/20/06 have been entered and made of record. Therefore, presently pending claims are 1-7, 9-19, 21, 27-36.

Response to Arguments

Applicant's arguments filed 7/20/06 have been fully considered. However, Applicant's amendment to the claims necessitated new grounds of rejection. See new rejection below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11, 19, 34, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over the article by Haartsen in view of Jonstromer (6,142,369).

Haartsen discloses Bluetooth technology used to enable portable electronic devices to connect and communicate wirelessly (abstract). The system includes setting up a secure wireless data transmission link that is a short range wireless data transmission connection (abstract) between the auxiliary device and said another electronic device by using the selected key code

(Figure 1). The system requires selecting said key code by using at least one selector, which is arranged for the selection (Fig. 1).

Although Haartsen discloses authentication and encryption that are methods of securing communication, Haartsen does not disclose using a key code or its part of a key code.

Jonstromer an electronic transaction system for conducting electronic financial transactions including a smart card configured to store a plurality of payer electronic credits and a communication module configured to transmit the electronic credits from the smart card to a party selected from a plurality of addressable parties accessible through a Public Switch Telephone Network (Abstract).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize the pin code of Jonstromer in the system of Haartsen. One of ordinary skill in the art would have been motivated to do this because it would identify the owner of the card by the knowledge of the PIN that only that owner of the smart card knows (Jonstromer column 4 lines 40-44).

In reference to claims 34, wherein the auxiliary device is provided without display and keypad (Figure 1). The printer headset and mouse of Haartsen. Haartsen also includes a mobile phone wherein the mobile phone consists of a display and a keypad.

In reference to claim 36 wherein the auxiliary device is provided with a control button for accepting the key code (Figure 1 laptop). The laptop of Figure 1 has an enter key and therefore a control button for accepting the key code.

Claims 1, 2, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jonstromer in view of the website of the Nurit device.

In reference to claim 1 Haartsen discloses Bluetooth technology used to enable portable electronic devices to connect and communicate wirelessly (abstract). The system includes an electronic device, which is wireless auxiliary device (Laptop) be used with another electronic device and provided with means for manual entering key code (Figure 1), and wherein a secure wireless data transmission link is arranged to be set up between said auxiliary device and said another electronic device (Figure 1). The “another” electronic device in Haartsen is a mobile phone (Figure 1). The system of Haartsen further discloses the portable electronic devices to connect and communicate wirelessly via short range (abstract).

Jonstromer discloses an electronic transaction system for conducting electronic financial transactions including a smart card configured to store a plurality of payer electronic credits and a communication module configured to transmit the electronic credits from the smart card to a party selected from a plurality of addressable parties accessible through a Public Switch Telephone Network (Abstract). Jonstromer discloses a system wherein said wireless auxiliary device a smart card reader (Fig. 5), wherein said means for entering of a key code comprise at least one selector which arranged select said key code or an element of it, by using the selected key code there is a keyboard on a laptop (column 6 lines 5-15).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize the pin code of Jonstromer in the system of Haartsen. One of ordinary skill in the art would have been motivated to do this because it would identify the owner of the

Art Unit: 2135

card by the knowledge of the PIN that only that owner of the smart card knows (Jonstromer column 4 lines 40-44).

In reference to claim 2 Haartsen does not disclose the use of a PIN. However Jonstromer discloses a system wherein the key code is secret key code security code, such as a PIN code (column 6 lines 20-25).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize the pin code of Jonstromer in the system of Haartsen. One of ordinary skill in the art would have been motivated to do this because it would identify the owner of the card by the knowledge of the PIN that only that owner of the smart card knows (Jonstromer column 4 lines 40-44).

In reference to claim 5, wherein the key code consisting of at least two elements, such as numbers, is arranged to be entered by successive selection sequences, wherein each selection sequence corresponds to one said element. The system of Haartsen discloses a keypad that has more than one key (Fig. 1), which suggests that the key code consisting of at least two elements to be entered by successive selection sequences.

Claims 3, 9-10, 12-17, 27-33 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jonstromer in view of the website of the Nurit device and further in view of Nishiyama (5,436,954).

In reference to claim 28 Haartsen discloses Bluetooth technology used to enable portable electronic devices to connect and communicate wirelessly (abstract). The system includes setting up a secure wireless data transmission link that is a short range wireless data transmission

connection (abstract) between the auxiliary device and said another electronic device by using the selected key code (Figure 1). The system requires selecting said key code by using at least one selector, which is arranged for the selection (Fig. 1).

Although Haartsen discloses authentication and encryption that are methods of securing communication, Haartsen does not disclose using a key code or its part of a key code.

Jonstromer an electronic transaction system for conducting electronic financial transactions including a smart card configured to store a plurality of payer electronic credits and a communication module configured to transmit the electronic credits from the smart card to a party selected from a plurality of addressable parties accessible through a Public Switch Telephone Network (Abstract).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize the pin code of Jonstromer in the system of Haartsen. One of ordinary skill in the art would have been motivated to do this because it would identify the owner of the card by the knowledge of the PIN that only that owner of the smart card knows (Jonstromer column 4 lines 40-44).

Although Jonstromer discloses a selector for entering a Pin (Fig. 1), Jonstromer does not disclose the selector being rotatable.

Nishiyama discloses a portable radiotelephone set provided with a display section includes a rotary selector that turns to select various functions (abstract; Fig. 1 part 8; column 4 lines 11-31).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a rotary selector as in Nishiyama in the system of Haartsen. One of

ordinary skill in the art would have been motivated to do this because both systems are wireless electronics and the rotary selector prevents erroneous buttons being depressed (Nishiyama column 1 lines 48-52).

In reference to claim 3, wherein the selector is rotatable, comprising a roll, wheel or disc part which is arranged to rotate around an axis of rotation which is substantially perpendicular or substantially parallel to the auxiliary device.

Although Haartsen discloses a selector for entering a Pin (Fig. 1), Haartsen does not disclose the selector being rotatable.

Nishiyama discloses a portable radiotelephone set provided with a display section includes a rotary selector that turns to select various functions (abstract; Fig. 1 part 8; column 4 lines 11-31).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a rotary selector as in Nishiyama in the system of Haartsen. One of ordinary skill in the art would have been motivated to do this because both systems are wireless electronics and the rotary selector prevents erroneous buttons being depressed (Nishiyama column 1 lines 48-52).

In reference to claims 29 Haartsen discloses a system wherein said peripheral device comprises one, and only one, selector arranged for entering manually said key code consisting of at least two elements, such as numbers (Fig. 1).

In reference to claim 30 Haartsen discloses a system wherein said peripheral device is a hands-free set and said another electronic device is a mobile phone (Fig 1).

In reference to claim 31 Haarsten discloses a laptop that is the peripheral device and the “another” electronic device is a mobile phone (Figure 1).

Johstromer discloses a system wherein said peripheral device is a smart card reader (Fig. 5)

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize the pin code of Jonstromer in the system of Haartsen. One of ordinary skill in the art would have been motivated to do this because it would identify the owner of the card by the knowledge of the PIN that only that owner of the smart card knows (Jonstromer column 4 lines 40-44).

In reference to claims 9 and 15-16, wherein said selection sequence is composed of at least one predefined position of the selector or at least one predefined motion of the selector, or a combination of said position and said motion.

Although Haartsen discloses a selector, Haartsen does not disclose a selector wherein a selection of sequence is composed of at least one predefined position of the selector or at least one predefined motion of the selector or a combination of said position and said motion.

Nishiyama discloses a portable radiotelephone set provided with a display section includes a rotary selector that turns to select various functions (abstract; Fig. 1 part 8). The rotary selector is used to select various functions depending on the position of the selector (column 8 lines 33-67).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a rotary selector as in Nishiyama in the system of Haartsen. One of ordinary skill in the art would have been motivated to do this because both systems are wireless

Art Unit: 2135

electronics and the rotary selector prevents erroneous buttons being depressed (Nishiyama column 1 lines 48-52)

In reference to claims 12-14 and 17, the method comprising: selecting the key code by rotating each rotatable selector in a predetermined position corresponding to the key code.

Although Haartsen discloses a system that uses a selector, the selector in Haartsen does not rotate to a predetermined position corresponding to the key code.

Nishiyama discloses a portable radiotelephone set provided with a display section includes a rotary selector that turns to select various functions (abstract; Fig. 1 part 8). The rotary selector is used to select various functions depending on the position of the selector (column 8 lines 33-67).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a rotary selector as in Nishiyama in the system of Haartsen. One of ordinary skill in the art would have been motivated to do this because both systems are wireless electronics and the rotary selector prevents erroneous buttons being depressed (Nishiyama column 1 lines 48-52)

In reference to claims 27 and 32-33, wherein the auxiliary device is provided without display and keypad (Figure 1). The printer headset and mouse of Haartsen. Haartsen also includes a mobile phone wherein the mobile phone consists of a display and a keypad.

In reference to claim 10, wherein the secure wireless data transmission between said auxiliary device and said another electronic device is arranged to be performed by using a wireless communication method, such as Bluetooth, WLAN or IRDA (page 114 section Networking).

In reference to claim 35 wherein the auxiliary device is provided with a control button for accepting the key code (Figure 1 laptop). The laptop of Figure 1 has an enter key and therefore a control button for accepting the key code.

Claims 4, 6-7, 18, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haartsen in view of Jonstromer as applied to claims 1 above, and further in view of Rahman et al (5627355).

In reference to claims 4 and 21, Haartsen discloses the auxiliary device comprises one, and only one, selector which is arranged for entering a key code consisting of at least two elements, such as numbers (Fig. 1).

Rahman discloses further a card that contains one selector for entering a key code consisting of numbers (Fig. 2 parts 20 and 22).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the one selector as in the system of Rahman in the system of Haartsen. One of ordinary skill in the art would have been motivated to do this because having one point of activation would reduce the occurrence of errors.

In respect to claims 6 and 18, Jonstromer, as in claim 1, does not disclose accepting the already selected key code or its selected element, said selector is arranged to be pressed or said auxiliary device is provided with a control button (Activation Button).

Rahman discloses a system wherein accepting the already selected key code (column 2 lines 44-65) is arranged by pressing a control button (Fig. 2 part 20 Activation button).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the one selector as in the system of Rahman in the system of Haartsen. One of ordinary skill in the art would have been motivated to do this because having one point of activation would reduce the occurrence of errors.

In reference to claim 7, Jonstromer, as in claim 1, does not expressly disclose storing the selected key code in the memory of the auxiliary device, the means comprising a position detector which is arranged to read the key code selected by the selector and processor controlling the operation for processing and storing the key code in the memory.

Rahman discloses a system in which the selected key code is stored in memory and a position detector is arranged to read the selected key code and a processor controlling the operation for processing and storing the key code in the memory (Fig. 1a).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the one selector as in the system of Rahman in the system of Haartsen. One of ordinary skill in the art would have been motivated to do this because having one point of activation would reduce the occurrence of errors.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

Art Unit: 2135

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paula W. Klimach whose telephone number is (571) 272-3854. The examiner can normally be reached on Mon to Thr 9:30 a.m to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PWK
Monday, October 02, 2006


HOSUK SONG
PRIMARY EXAMINER